

*Status: Point in time view as at 30/09/2013.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Democracy) (Wales) Act 2013, Cross Heading: Local Government Act 1972 (c. 70). (See end of Document for details)*

## SCHEDULE 1

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### *Local Government Act 1972 (c. 70)*

- 1 (1) The 1972 Act is amended as follows.
- (2) In section 25(2) (term of office and retirement of councillors), after “Part IV of this Act” insert “ or Part 3 of the Local Government (Democracy) (Wales) Act 2013 (anaw 4) ”.
- (3) In section 30 (restriction on community applications during and after reviews)—
  - (a) in subsection (1), after paragraph (b) insert—
    - “(ba) during the period of two years beginning with the coming into force of an order relating to the community under Part 3 of the Local Government (Democracy) (Wales) Act 2013 consequent on recommendations made under that Part by the Local Democracy and Boundary Commission for Wales”,
  - (b) in subsection (3)—
    - (i) for “Welsh Commission” substitute “ Local Democracy and Boundary Commission for Wales ”,
    - (ii) after “Act” insert “ or Part 3 of the Local Government (Democracy) (Wales) Act 2013 ”.
- (4) In section 31(2) (supplementary provision about community council orders), for the words from “68” to the end substitute “ 44 of the Local Government (Democracy) (Wales) Act 2013 is to apply as if the order were made under Part 3 of that Act. ”.
- (5) In section 70 (restriction on promotion of Bills for changing local government areas, etc.) —
  - (a) in subsection (1), after “local authority” insert “ in England ”,
  - (b) in subsection (3), after “local authority” insert “ in England ”.
- (6) In section 73(1) (alteration of local boundaries consequent on alteration of water-course), after “local government” insert “ in England ”.
- (7) In section 74 (change of name of county, district or London borough)—
  - (a) in subsection (3)(a), for “the Secretary of State” substitute “ the relevant Minister ”,
  - (b) in subsection (3)(b), for “the Secretary of State” substitute “ the relevant Minister ”,
  - (c) after subsection (3) insert—
    - “(3A) Where any change of name under this section relates to a Welsh principal area, notice must also be sent to the Local Democracy and Boundary Commission for Wales.”.
  - (d) after subsection (7) insert—
    - “(8) In this section the “relevant Minister” is—
      - (a) in relation to the change of name of a Welsh principal area, the Welsh Ministers, and

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- (b) in relation to any other change of name, the Secretary of State.”.
- (8) In section 76(2)(a) (change of name of a community), for “Secretary of State,” substitute “ Welsh Ministers, to the Local Democracy and Boundary Commission for Wales, ”.
- (9) In section 246(9) (preservation of powers, privileges and rights of existing cities or boroughs), for “Part IV of this Act” substitute “ Part 3 of the Local Government (Democracy) (Wales) Act 2013 ”.
- (10) In section 239(1) (power to promote or oppose local or personal Bills)—
  - (a) for “local authority, other than a parish or community council” substitute “ local authority in England, other than a parish council ”, and
  - (b) after “local authority” where it second occurs, insert “ in England ”.

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